

CIVIL HARASSMENT RESTRAINING ORDERS

TABLE OF CONTENTS

	TITLE	PAGE NO.
1	GENERAL INFORMATION	3
	SAMPLE DOCUMENTS – INSTRUCTIONS – CH150	
2	PETITION FOR INJUNCTION PROHIBITING HARASSMENT CH-100	5
	ACCESSING THE DOCUMENT IN THE COMPUTER	6
	COMPLETING THE FORM	8
	PROOFREADING, PRINTING & SAVING THE DOCUMENT	10
	SAMPLE DOCUMENT	12
3	DECLARATION FORM MC 030	16
	ACCESSING THE DOCUMENT IN THE COMPUTER	17
	COMPLETING THE FORM	19
	PROOFREADING, PRINTING AND SAVING DOCUMENT	22
	SAMPLE DOCUMENT	24
4	ORDER TO SHOW CAUSE & TEMPORARY RESTRAINING ORDER CH-120	27
	ACCESSING THE DOCUMENT IN THE COMPUTER	28
	COMPLETING THE ADOPTION AGREEMENT	30
	PROOFREADING, PRINTING AND SAVING DOCUMENT	32
	SAMPLE DOCUMENT	34
5	DECLARATION RE APPLICATION FOR TEMPORARY ORDERS LOCAL FORM	37
	PROOFREADING, PRINTING AND SAVING DOCUMENT	
	SAMPLE DOCUMENT	
6	PROOF OF PERSONAL SERVICE CH-130	46
	ACCESSING THE DOCUMENT IN THE COMPUTER	47
	COMPLETING THE FORM	49
	PROOFREADING, PRINTING AND SAVING DOCUMENT	51

	SAMPLE DOCUMENT	53
7	SUBMITTING THE CIVIL HARASSMENT DOCUMENTS FOR JUDGE'S SIGNATURE & FILING	56
8	SERVICE OF DOCUMENTS ON DEFENDANT(S)	61
9	FILING THE PROOF OF SERVICE	
10	WHAT HAPPENS WHEN YOU CAN'T GET THE DEFENDANT SERVED BEFORE THE HEARING?	
11	APPLICATION & ORDER FOR REISSUANCE	
	ACCESSING THE DOCUMENT IN THE COMPUTER	
	COMPLETING THE APPLICATION & ORDER FOR REISSUANCE	
	PROOFREADING, PRINTING AND SAVING YOUR DOCUMENT	
	SAMPLE DOCUMENT	
12	SUBMITTING THE APPLICATION & ORDER FOR REISSUANCE FOR JUDGE'S SIGNATURE	
13	THE HEARING	
14	ORDER AFTER HEARING CH-140	
	ACCESSING THE DOCUMENT IN THE COMPUTER	
	COMPLETING THE ORDER AFTER HEARING	
	PROOFREADING, PRINTING AND SAVING YOUR DOCUMENT	
	SAMPLE DOCUMENT	
15	SUBMITTING THE ORDER AFTER HEARING FOR JUDGE'S SIGNATURE	
16	RESPONSE TO ORDER TO SHOW CAUSE CIVIL HARASSMENT	
	ACCESSING THE DOCUMENT IN THE COMPUTER	
	COMPLETING A RESPONSE TO ORDER TO SHOW CAUSE CIVIL HARASSMENT	
	PROOFREADING, PRINTING & SAVING YOUR DOCUMENT	
	SAMPLE DOCUMENT	
17	FILING THE RESPONSE TO PETITION FOR INJUNCTION PROHIBITING HARASSMENT	
18	PROOF OF SERVICE BY MAIL CH-131	
	PROOFREADING, PRINTING & SAVING YOUR DOCUMENT	
	SAMPLE DOCUMENTS	

Yuba County Superior Court – Self Help Center
Civil Harassment Restraining Order (CLETS)

19	MAILING THE RESPONSE & FILING THE PROOF OF SERVICE BY MAIL	
20	THE HEARING	

GENERAL INFORMATION

GENERAL INFORMATION

1. **DO YOU QUALIFY TO USE THESE FORMS?** If you are related to the Defendant (person to be restrained) by blood, marriage or adoption or had a dating relationship with the Defendant, the Domestic Violence Restraining Order may be appropriate for you. Make sure you have the correct paperwork BEFORE you begin to complete the forms.
2. **WHO CAN GET ORDERS PROHIBITING HARASSMENT?** Most people who are victims of harassment can ask the court for these orders. A person may seek protection under this law if:
 - a. the Defendant's conduct is intentional; and
 - b. the Defendant has done a series of acts (more than one) which seriously alarms, annoys or harasses the Plaintiff (you);
 - c. plaintiff has suffered a lot of emotional distress; and
 - d. the Defendant's conduct has no legitimate reason and is not protected by the constitution.

NOTE: Further detailed instructions are provided in the form CH-150. If you would like to read this information, call up the form and print it using the instructions provided under *Accessing the Document*.

If you obtained a free packet of civil harassment forms from the Clerk's Office, these instructions are contained in that packet.

3. **MUST BE TYPED:** The Civil Harassment forms must be typed and submitted the original and two copies. The computer terminals in this Self Help Center are available for your use Monday through Thursday from 8:30 a.m. to 4:30 p.m. but not available on Fridays.

You may obtain a free Civil Harassment packet at the Superior Court Clerk's Office in the main courthouse. This packet contains all of the forms covered in this manual.

4. **FILING FEES:** \$213.50 or fee waiver.
5. **THE PROCESS:** This section explains the process you will go through to submit your typed documents and get a court date.

TYPE DOCUMENTS – TAKE TO CLERK: After you type your documents, sign and date them, take them to the Clerk's office for filing. You will be required to pay the \$213.50 filing fee if you do not submit a fee waiver.

CLERK'S ACTIONS: The Clerk will review the documents and send them to the Judge for signature on the Order to Show Cause and Temporary Restraining Order.

JUDGE DETERMINES IF YOU PAY THE FILING FEE: The Judge will determine from the information contained in the Description of Conduct whether or not you will have to pay the filing fee.

If the petition alleges that the defendant has inflicted or threatened violence against the plaintiff, or stalked the plaintiff, or acted or spoken in any other manner that has placed the plaintiff in reasonable fear of violence the filing fee can be waived by the Judge.

If the Judge determines that violence is alleged, your \$213.50 or your fee waiver documents will be returned to you with your filed documents.

JUDGE REVIEWS/SIGNS YOUR TEMPORARY ORDERS AT SAME TIME: If the Judge signs your temporary restraining order it is returned to the Clerk who assigns a case number and files the documents returning the copies to you in the pro per pick up basket at the counter (where you dropped your paperwork off).

If the Judge denies the temporary restraining order, your documents will indicate that when you pick them up. You may have to provide additional information or make corrections on your forms and resubmit them.

PICK UP YOUR FILED DOCUMENTS: This process normally takes 24 to 48 hours. You will be required to pick up your documents and have them served on the Defendant(s).

6. **PREPARING FEE WAIVER:** See the manual on *Fee Waivers* to determine if you qualify for a fee waiver and detailed instructions on completing the forms required for fee waivers.
7. **ASSISTANCE IN PREPARING THESE DOCUMENTS:** At this time the Family Law Facilitator does not provide assistance in preparing the Civil Harassment paperwork. The Clerks can assist you in using the computers but cannot assist you in completing the paperwork.
8. **WHAT DOES (CLETS) MEAN?:** Throughout this paperwork you will see references to CLETS. California Law Enforcement Telecommunications System (CLETS) is a statewide law enforcement tool for tracking the existence of restraining orders in California so they can be enforced. When your restraining order is filed, the Clerk automatically provides a certified copy of the Order to Show Cause to the Yuba County Sheriff for

CLETS entry. The Proof of Service and Order After Hearing are also provided for CLETS entry.

Violations of this restraining order are subject to criminal penalties.

9. **NOTICE REGARDING FIREARMS:** Any person subject to a restraining order is prohibited from owning, possessing, purchasing or attempting to purchase, receiving or attempting to receive, or otherwise obtaining a firearm. Such conduct is subject to a \$1,000. fine and imprisonment.
10. **PROHIBITED PERSONS NOTICE FORM & POWER OF ATTORNEY FOR FIREARMS AND DISPOSAL:** This 4 page document is included at the back of the Civil Harassment Restraining Order packet and must be served on Defendant.

The packet is free from the Superior Court Clerk's Office in the main courthouse and is not available on the computer. You should pick up this packet so you have these important forms for service.

**READ THE INSTRUCTIONS FOR PREPARING AND FILING THE
CIVIL HARASSMENT PETITION AND TEMPORARY RESTRAINING ORDER
CONTAINED AS FORM CH-150**

You may obtain a free packet of the civil harassment forms from the Clerk's Office in the main courthouse which contains these forms.

These are the instructions for completing a Civil Harassment Restraining Order and answer many of the questions you may have involving this paperwork. Read them carefully as they contain important and helpful information.

You are required to serve a copy of these 7 pages of instructions on the Defendant(s) when you serve the other documents.

SAMPLE DOCUMENTS

INSERT 7 PAGES OF INSTRUCTIONS HERE

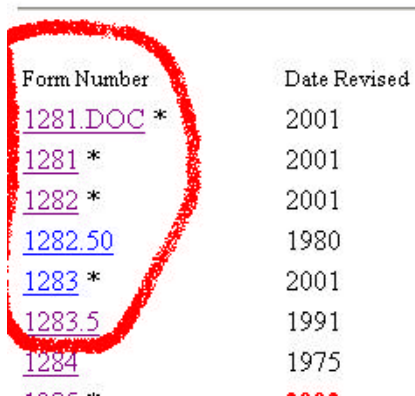
PETITION FOR INJUNCTION PROHIBITING HARASSMENT

CH-100

ACCESSING THE DOCUMENT IN THE COMPUTER

ACCESSING THE DOCUMENTS IN THE COMPUTER

1. **DOUBLE CLICK** on the icon (picture) labeled PUBLIC ACCESS SERVICES by placing the cursor over the PUBLIC ACCESS SERVICES icon and pressing the left mouse button twice.
2. Select “**JUDICIAL COUNCIL FORMS**” on the screen.
 - a. Move cursor over “**JUDICIAL COUNCIL FORMS**” icon
 - b. Double click left button on mouse
3. From the left column select form you are looking for (single click left button on mouse) or scroll down until you locate it.



Form Number	Date Revised
<u>1281.DOC</u> *	2001
<u>1281</u> *	2001
<u>1282</u> *	2001
<u>1282.50</u>	1980
<u>1283</u> *	2001
<u>1283.5</u>	1991
<u>1284</u>	1975

Double click left button on mouse



To scroll down, hold down left button
on mouse and move the bar down
OR
Use wheel on mouse

4. Using the bar on the far right of your screen as shown above **SCROLL DOWN** until you see the form that you want to complete.
5. **DOUBLE CLICK** on the underlined number of the form you select.
6. The form will appear on the screen ready to be completed.
7. If you have problems calling up the forms please ask the Clerk for assistance.

COMPLETING THE PETITION FOR INJUNCTION PROHIBITING HARASSMENT

CH-100

COMPLETING THE PETITION FOR INJUNCTION PROHIBITING HARASSMENT, CH-100

You have followed the instructions for Accessing the Document and have the form CH-100, Petition for Injunction Prohibiting Harassment on the computer screen in front of you. You are now ready to type the document.

This document is used to tell the court the facts of your case and what orders you want the court to make. This form is mandatory and must be used.

1. **NAME OF PARTY OR ATTORNEY:** Type in Plaintiff's (your) Name and Address, including city, state and zip code. Telephone number is optional, however, you will need to provide it to the Clerk on a separate piece of paper in case the court needs to reach you.
2. **SUPERIOR COURT OF CALIFORNIA, COUNTY OF YUBA:**
215 FIFTH STREET
215 FIFTH STREET
MARYSVILLE CA 95901

Type in Yuba after "of" as shown above and the address as shown.

3. **PLAINTIFF:** Type in the full name of the Plaintiff (your name). There may be more than one Plaintiff.

DEFENDANT: Type in the full name of Defendant(s).

4. **PETITION FOR INJUNCTION PROHIBITING HARASSMENT**
? Application for Temporary Restraining Order:

Mark the box in front of Application for Temporary Restraining Order if you are asking for temporary orders until the hearing.

5. **CASE NUMBER:** leave this area blank – the Clerk will assign a case number later.
6. **Item #1:** Type in the full name of each Plaintiff as listed in #3 above.
7. **Item #2:** If there are other persons residing in your home that you want protected by this order, mark this box.

List the Name, Age and Relationship to Plaintiff of EACH person.

8. **Item #3a:** Type in the full name of the Defendant(s) as listed in #3 above.

You must provide the sex, height, weight, hair color, eye color, race, age and date of birth for EACH Defendant.

Hair color, eye color and race must contain at least three letters such as BRO for brown, BLK for black, WHI for white, HIS for Hispanic, etc.

Item #3b: Enter the Defendant's home address (if known). Include city, state and zip code.

Item #3c: Enter the Defendant's work address (if known). Include city, state and zip code.

NOTE: If there is more than one Defendant you can type the information on a separate sheet of paper as shown below:

Attachment #3a-c to Petition for Civil Harassment

Defendant #2: NAME: John Doe

Male, 6 ft, 200 lbs, Bro hair, Bro eyes, White, 45 years old, dob:
07/01/57

Home address: 1234 Help Street, Marysville CA 95901

Work address: Unknown

9. **Item #4:** This action is filed in this county because:

Mark one or more boxes as they apply to your case. You must mark at least one box. If you mark box c, "other" you must specify why you filed this action in Yuba County.

10. **Item #5:** Describe how Plaintiff knows Defendant.

Briefly describe how you know the Defendant.

11. **Item #6:** Defendant has:

Marked all boxes that apply to your case. You must mark at least one box.

12. **Items #7 through #9:** Read carefully. These are not questions, so they do not require answers.
13. **Item #10:** Description of Conduct – Describe in detail the harassment (including the dates, who did what to whom, and any injuries):

In your own words describe in great detail what happened between the Plaintiff(s) and Defendant(s) that creates the need for this restraining order. Be very detailed include dates and exactly what happened and what was said indicating if weapons, threats were involved, etc.

NOTE: This information is very important as this is the information the court reads to determine whether (or not) to grant the temporary order.

Do not attach police reports to your Petition. This section must be in your own words.

If you need additional space mark the box at the bottom of item #10 and prepare an Attachment 10 on a separate sheet of paper as shown below:

Attachment #10 to Petition:

Type additional Description of Conduct here.

You may also use the Declaration, form MC-050, for typing additional information in support of your request. Instructions on using this form are in the next section.

14. **Item #11:** Personal Conduct Orders

Read the information carefully. Mark the box if you want the Defendant restrained as indicated.

If you want this to be ordered now and effective until the hearing, make sure you mark that box.

If you want the other persons listed in Item #2 protected – mark the third box.

15. **Item #12:** Stay Away Orders

If you want the Defendant to stay away from you and the protected persons, mark this box.

If you want this to be ordered now and effective until the hearing, mark the box to the right.

Item #12a: Specify the number of yards the Defendant is to stay away from the persons and places indicated.

Item #12 (1) through (6) – read this section carefully and mark all boxes that apply to your case.

You must provide a description of your vehicle if you chose to list it in item #12a(5).

If you mark “other” you must (specify) what other orders you are requesting.

Item #12b: Mark the appropriate box.

16. **Item #13:** Plaintiff will suffer great and irreparable harm before this petition can be heard in court unless the court makes the orders requested above effective now and until the hearing (specify the harm and why it will occur before the hearing):

Complete this area if you are asking for temporary orders.

17. **Item #14:** In this section explain why the protected persons need the orders you have requested.
18. **Item #15:** Attorneys fees and costs
- Mark this box if it applies to your case.
19. **Item #16:** Indicate any other orders you may be requesting that are not covered in other areas of this form.
20. **Item #17:** List the Law Enforcement agencies that you will be providing a copy of these papers AFTER they are filed. Names and address of local agencies are provided for you convenience.

Yuba County Sheriff's Office, 215 Fifth Street, Marysville, CA 95901

Marysville Police Department, 316 Sixth Street, Marysville, CA 95901

Wheatland Police Department, 413 Second Street, Wheatland, CA

Sutter County Sheriff's Dept, 1077 Civic Center Blvd, Yuba City, CA 95993

Yuba City Police Dept, 1545 Poole Blvd, Yuba City, CA 95993

21. **Item #18a:** Mark this box if you have asked for restraining orders against the defendant before. Provide the name of the county where the restraining order was filed. Provide the case number if you know it.

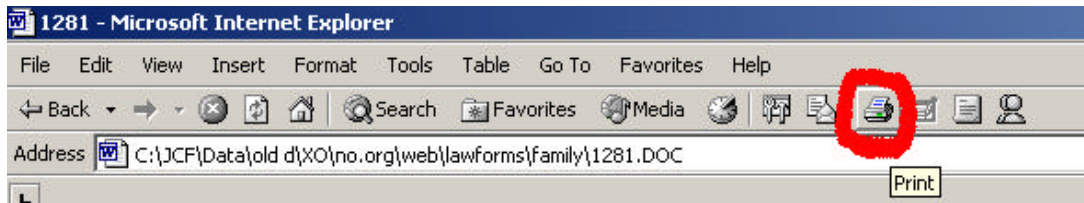
Item #18b: Mark this box if the Defendant has asked for restraining orders against Plaintiff before. Provide the name of the county where the restraining order was filed. Provide the case number if you know it.
22. **Item #19:** Read carefully. This is not a question, so no response is needed.
23. **Item #20:** Yuba County Superior Court automatically short sets these hearings. Mark the box and put a 2 on the line provided. You do not need to provide an explanation as the Clerk will stamp the hearing date on your forms.
24. **Item #21:** If you are alleging threats of violence and want the fees waived, mark this box. The court will decide if you pay the filing fee.
25. **Item #22:** Mark this box. Indicate the number of pages attached to your Petition.
26. The first signature box is for Plaintiff's attorney to sign. IF YOU DO NOT HAVE AN ATTORNEY – skip this box.
27. Each party listed as Plaintiff must **date, print name and sign this form.**

You are now ready to print this form.

PROOFREADING, PRINTING AND SAVING YOUR DOCUMENT

PROOFREADING, PRINTING & SAVING YOUR DOCUMENT

1. **PROOFREAD** your document and make necessary corrections.
2. **PRINT:** SELECT the PRINTER ICON on the tool bar (see below):



3. Pick up your document from the Clerk at the window and PROOFREAD again.
4. When you are satisfied that your document is correct – print a total of 3 times, as the court requires the original and two copies.
5. **SAVE** your document:
 - a. Click on "**FILE**," in the upper left corner. Select "**SAVE AS**."
 - b. Make sure your disk (furnished by the Clerk) is inserted in the A drive.
 - c. At **FILE NAME** – NAME YOUR FILE.
 - d. Click on **DOWN ARROW** at top and select 3 ½ Floppy A:
 - e. Select "**SAVE**".

Please ask the Clerk for assistance if you have difficulty saving your document.

6. **SIGN YOUR DOCUMENT** – some documents do not require your signature. Review the document carefully, sign and date if needed.

SAMPLE DOCUMENT

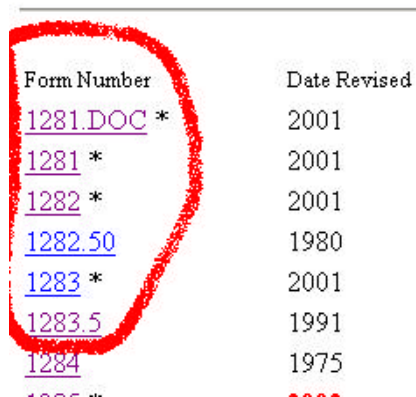
INSERT 4 PAGES PETITION FOR INJUNCTION PROHIBITING HARASSMENT
CH-100 HERE

DECLARATION FORM MC-030

ACCESSING THE DOCUMENT IN THE COMPUTER

ACCESSING THE DOCUMENTS IN THE COMPUTER

1. **DOUBLE CLICK** on the icon (picture) labeled PUBLIC ACCESS SERVICES by placing the cursor over the PUBLIC ACCESS SERVICES icon and pressing the left mouse button twice.
2. Select “**JUDICIAL COUNCIL FORMS**” on the screen.
 - a. Move cursor over “**JUDICIAL COUNCIL FORMS**” icon
 - b. Double click left button on mouse
3. From the left column select form you are looking for (single click left button on mouse) or scroll down until you locate it.



Form Number	Date Revised
1281.DOC *	2001
1281 *	2001
1282 *	2001
1282.50	1980
1283 *	2001
1283.5	1991
1284	1975
1285	1975

Double click left button on mouse



To scroll down, hold down left button
on mouse and move the bar down

OR

Use wheel on mouse

4. Using the bar on the far right of your screen as shown above **SCROLL DOWN** until you see the form that you want to complete.
5. **DOUBLE CLICK** on the underlined number of the form you select.
6. The form will appear on the screen ready to be completed.
7. If you have problems calling up the forms please ask the Clerk for assistance.

COMPLETING DECLARATION FORM MC-030

**COMPLETING DECLARATION
FORM MC-030**

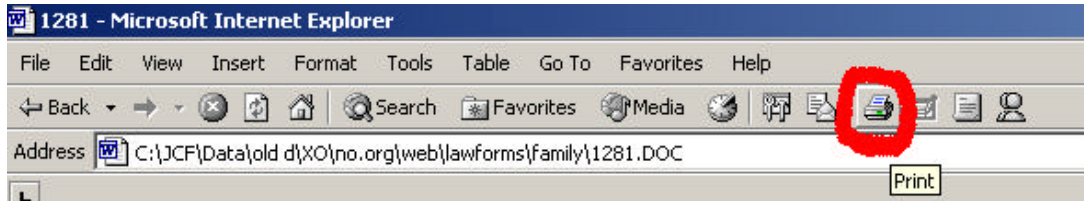
This form is provided for use in completing item #10 on the Petition regarding Description of Conduct. This form is provided for your convenience and is not mandatory.

Type the form, date, print your name and sign as indicated.

PROOFREADING, PRINTING AND SAVING YOUR DOCUMENT

PROOFREADING, PRINTING & SAVING YOUR DOCUMENT

1. **PROOFREAD** your document and make necessary corrections.
2. **PRINT:** SELECT the PRINTER ICON on the tool bar (see below):



3. Pick up your document from the Clerk at the window and PROOFREAD again.
4. When you are satisfied that your document is correct – print a total of 3 times, as the court requires the original and two copies.
5. **SAVE** your document:
 - a. Click on "**FILE**," in the upper left corner. Select "**SAVE AS**."
 - b. Make sure your disk (furnished by the Clerk) is inserted in the A drive.
 - c. At **FILE NAME** – NAME YOUR FILE.
 - d. Click on **DOWN ARROW** at top and select 3 ½ Floppy A:
 - e. Select "**SAVE**".

Please ask the Clerk for assistance if you have difficulty saving your document.

6. **SIGN YOUR DOCUMENT** – some documents do not require your signature. Review the document carefully, sign and date if needed.

SAMPLE DOCUMENT

INSERT 2 PAGES DECLARATION MC-030 HERE

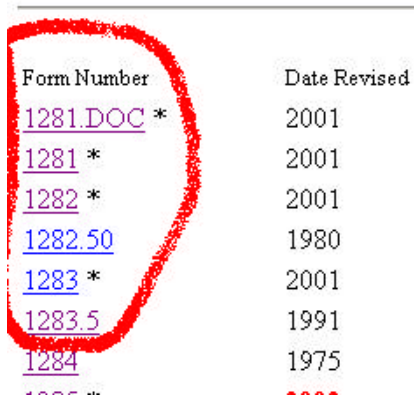
ORDER TO SHOW CAUSE AND TEMPORARY RESTRAINING ORDER (CLETS)

CH-120

ACCESSING THE DOCUMENT IN THE COMPUTER

ACCESSING THE DOCUMENTS IN THE COMPUTER

1. **DOUBLE CLICK** on the icon (picture) labeled PUBLIC ACCESS SERVICES by placing the cursor over the PUBLIC ACCESS SERVICES icon and pressing the left mouse button twice.
2. Select “**JUDICIAL COUNCIL FORMS**” on the screen.
 - a. Move cursor over “**JUDICIAL COUNCIL FORMS**” icon
 - b. Double click left button on mouse
3. From the left column select form you are looking for (single click left button on mouse) or scroll down until you locate it.



Form Number	Date Revised
1281.DOC *	2001
1281 *	2001
1282 *	2001
1282.50	1980
1283 *	2001
1283.5	1991
1284	1975

Double click left button on mouse



To scroll down, hold down left button
on mouse and move the bar down

OR

Use wheel on mouse

4. Using the bar on the far right of your screen as shown above **SCROLL DOWN** until you see the form that you want to complete.
5. **DOUBLE CLICK** on the underlined number of the form you select.
6. The form will appear on the screen ready to be completed.
7. If you have problems calling up the forms please ask the Clerk for assistance.

**COMPLETING THE ORDER TO
SHOW CAUSE AND
TEMPORARY RESTRAINING
ORDER (CLETS)
CH-120**

**COMPLETING THE ORDER TO SHOW CAUSE AND TEMPORARY
RESTRAINING ORDER (CLETS)
CH-120**

You have followed the instructions for Accessing the Document and have the form CH-120, Order to Show Cause and Temporary Restraining Order (CLETS) on the computer screen in front of you. You are now ready to type the document.

This form is mandatory. When signed by the judge, it tells the defendant(s) when to come to court for the hearing. It may include one or more temporary orders (TRO), which take effect immediately and stay in effect until the hearing.

1. **NAME OF PARTY OR ATTORNEY:** Type in Plaintiff's (your) Name and Address, including city, state and zip code. Telephone number is optional, however, you will need to provide it to the Clerk on a separate piece of paper in case the court needs to reach you.
2. **SUPERIOR COURT OF CALIFORNIA, COUNTY OF YUBA:**
215 FIFTH STREET
215 FIFTH STREET
MARYSVILLE CA 95901

Type in Yuba after "of" as shown above and the address as shown.

3. **PLAINTIFF:** Type in the full name of the Plaintiff (your name). There may be more than one Plaintiff.

DEFENDANT: Type in the full name of Defendant(s).

4. **PETITION FOR INJUNCTION PROHIBITING HARASSMENT
? and Temporary Restraining Order (CLETS):**

Mark the box in front of and Temporary Restraining Order if you are asking for temporary orders until the hearing.

5. **CASE NUMBER:** Leave this area blank – the Clerk will assign a case number later.
6. **Item #1:** Type the full name of Defendant(s).
7. **Item#2:** Date, time, dept – leave blank the Clerk will complete this section.
8. **Item#3:** Read carefully. This is directed to the Defendant(s).

9. **Item #4a:** Type the full name of Defendant.

You must provide the sex, height, weight, hair Color, eye color, race, age and date of birth for EACH Defendant.

Hair color, eye color and race must contain at least three letters such as BRO for brown, BLK for black, WHI for white, HIS for Hispanic, etc.

NOTE: If there is more than one Defendant you can type the information on a separate sheet of paper as shown below:

Attachment #4a to Order to Show Cause (Civil Harassment)

Defendant #2: NAME: John Doe

Male, 6 ft, 200 lbs, Bro hair, Bro eyes, White, 45 years old, dob:
07/01/57

- Item #4b:** Type the full name of Plaintiff.

Mark M for Male or F for female.

Type in Plaintiff's date of birth.

NOTE: If there is more than one Plaintiff you can type the information on a separate sheet of paper as shown below:

Attachment #4b to Order to Show Cause (Civil Harassment)

Plaintiff #2: NAME: Susan Jones

Female DOB: 07/01/57

- Item 4c:** Provide the full name, sex and date of birth of each party to be protected.

NOTE: If there is more than three protected persons you can type the information on a separate sheet of paper as shown below:

Attachment #4c to Order to Show Cause (Civil Harassment)

Protected Person #4: NAME: Jane Jones

Female DOB: 07/11/98

10. **PLAINTIFF (NAME):**
DEFENDANT (NAME):

At the top of page 2 of the Order to Show Cause:

Type in the full name of Plaintiff(s)

Type in the full name of Defendant(s)

11. **CASE NUMBER:** Leave this blank. The case number will be assigned later by the clerk.

UNTIL THE TIME OF THE HEARING, IT IS ORDERED:

12. **Item # 5a:** Mark the box if you want the Defendant(s) restrained from the items listed.

? **the person seeking the order** -Mark this box if it applies to your case.

? **the other protected persons listed in item 4c** – mark this box if it applies to your case.

Item #5b: ? **shall stay _____ yards away from the following protected persons and places.**

Mark the box and indicate the number of yards the Defendant is to stay away. This area must match exactly #12 on the Petition.

Items #5b (1) through (7): Mark the boxes that apply to you. These boxes must match the choices you made under #12 on the Petition.

13. **Item #6:** Indicate any other orders you want the court to make.
14. **Item #7:** Mark the firearms relinquishment box that applies to your case.
15. **Item#8.** Mark Plaintiff shall deliver.

NOTE: The Clerk will automatically provide copies of your Order to Show Cause, Proof of Service and Order After Hearing to the Yuba County Sheriff's Department. You do not have to indicate that here.

16. **Item #9a:** Mark box a and indicate 2 days on the line indicated.

NOTE: Yuba County Superior Court automatically short sets all restraining order hearings.

Item #9b: Mark the box.

Under **#(5)** type: Prohibited Persons Notice Form & Power of Attorney for Firearms and Disposal

17. ? **Filing fees for the filing of this action are duly waived.**

Since the court will decide this – leave this blank.

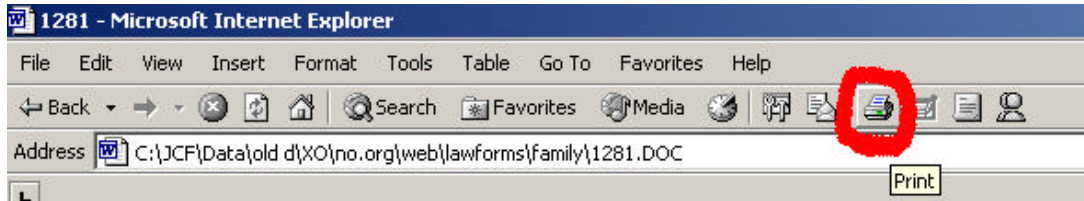
DO NOT SIGN OR DATE THIS FORM. The Judge will sign and date the form.

You are now ready to print this form.

PROOFREADING, PRINTING AND SAVING YOUR DOCUMENT

PROOFREADING, PRINTING & SAVING YOUR DOCUMENT

1. **PROOFREAD** your document and make necessary corrections.
2. **PRINT:** SELECT the PRINTER ICON on the tool bar (see below):



3. Pick up your document from the Clerk at the window and PROOFREAD again.
4. When you are satisfied that your document is correct – print a total of 3 times, as the court requires the original and two copies.
5. **SAVE** your document:
 - a. Click on "**FILE**," in the upper left corner. Select "**SAVE AS**."
 - b. Make sure your disk (furnished by the Clerk) is inserted in the A drive.
 - c. At **FILE NAME** – NAME YOUR FILE.
 - d. Click on **DOWN ARROW** at top and select 3 ½ Floppy A:
 - e. Select "**SAVE**".

Please ask the Clerk for assistance if you have difficulty saving your document.

6. **SIGN YOUR DOCUMENT** – some documents do not require your signature. Review the document carefully, sign and date if needed.

SAMPLE DOCUMENT

INSERT 3 PAGES ORDER TO SHOW CAUSE (HARASSMENT) CH120

DECLARATION RE APPLICATION FOR TEMPORARY ORDERS (LOCAL FORM)

COMPLETING THE DECLARATION RE APPLICATION FOR TEMPORARY ORDERS (LOCAL FORM)

This is a local form and can be found on the court's web site at www.yubacourts.org. You can access this document on this computer by logging on to the internet. The computer will automatically go to the court's web site.

Double click on forms. Then double click on Local forms. Then double click on Declaration Re Application for Temporary Orders.

The document will appear on the screen ready to type.

This form is mandatory and is used to inform the court as to whether the Defendant(s) were given notice that you are submitting this restraining order. This is required under Rule 379 of the California Rules of Court.

If Defendant is represented by an attorney, you must give the attorney notice that you are submitting this paperwork.

1. **NAME OF PARTY OR ATTORNEY:** Type in Plaintiff's (your) Name and Address, including city, state and zip code. Telephone number is optional, however, you will need to provide it to the Clerk on a separate piece of paper in case the court needs to reach you.

2. **PLAINTIFF:** Type in the full name of the Plaintiff (your name). There may be more than one Plaintiff.

DEFENDANT: Type in the full name of Defendant(s).

3. **CASE NUMBER:** Leave this area blank – the Clerk will assign a case number later.

4. In the first blank - type in Plaintiff(s) name(s).

In the second blank - type in the name of Defendant(s).

In the third blank - type in the name of Defendant(s). This box indicates that to your knowledge, Defendant(s) do not have an attorney.

5. **NOTICE TO DEFENDANT(S):** Mark **ONLY ONE** of the three boxes.

DEFENDANT GIVEN NOTICE: The first box indicates that you notified the Defendant that you are submitting these papers.

Make sure you complete the entire section, if this applies to your case and include all requested information.

UNABLE TO LOCATE DEFENDANT TO GIVE NOTICE: The second box indicates that you have been unable to locate the Defendant(s) to give notice that you are submitting these papers.

You must list all efforts made to locate Defendant(s).

DEFENDANT(S) NOT NOTICED: The third box indicates that it would be impractical or would result in irreparable injury to notice the Defendant(s).

You must given reasons for not giving Defendant(s) notice.

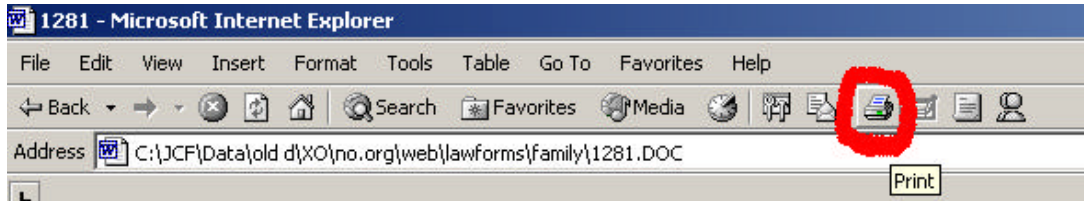
Print the form following the instructions in the next section.

Sign and date the form.

PROOFREADING, PRINTING AND SAVING YOUR DOCUMENT

PROOFREADING, PRINTING & SAVING YOUR DOCUMENT

1. **PROOFREAD** your document and make necessary corrections.
2. **PRINT:** SELECT the PRINTER ICON on the tool bar (see below):



3. Pick up your document from the Clerk at the window and PROOFREAD again.
4. When you are satisfied that your document is correct – print a total of 3 times, as the court requires the original and two copies.
5. **SAVE** your document:
 - a. Click on "**FILE**," in the upper left corner. Select "**SAVE AS**."
 - b. Make sure your disk (furnished by the Clerk) is inserted in the A drive.
 - c. At **FILE NAME** – NAME YOUR FILE.
 - d. Click on **DOWN ARROW** at top and select 3 ½ Floppy A:
 - e. Select "**SAVE**".

Please ask the Clerk for assistance if you have difficulty saving your document.

6. **SIGN YOUR DOCUMENT** – some documents do not require your signature. Review the document carefully, sign and date if needed.

SAMPLE DOCUMENT

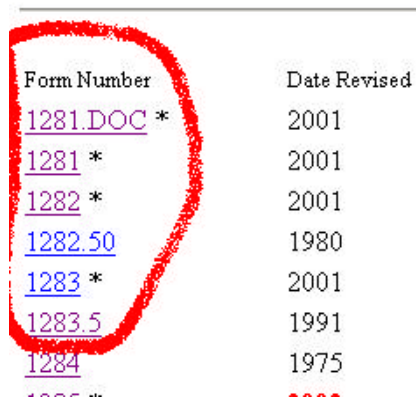
INSERT 1 PAGE DECLARATION RE APPLICATION FOR TRO HERE

**PROOF OF PERSONAL SERVICE
(HARASSMENT)
CH-130**

ACCESSING THE DOCUMENT IN THE COMPUTER

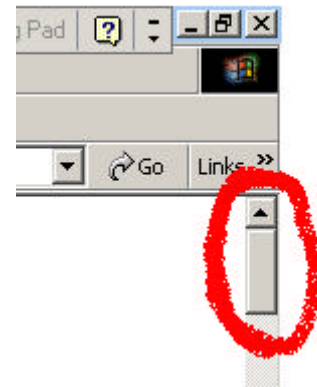
ACCESSING THE DOCUMENTS IN THE COMPUTER

1. **DOUBLE CLICK** on the icon (picture) labeled PUBLIC ACCESS SERVICES by placing the cursor over the PUBLIC ACCESS SERVICES icon and pressing the left mouse button twice.
2. Select “**JUDICIAL COUNCIL FORMS**” on the screen.
 - a. Move cursor over “**JUDICIAL COUNCIL FORMS**” icon
 - b. Double click left button on mouse
3. From the left column select form you are looking for (single click left button on mouse) or scroll down until you locate it.



Form Number	Date Revised
1281.DOC *	2001
1281 *	2001
1282 *	2001
1282.50	1980
1283 *	2001
1283.5	1991
1284	1975

Double click left button on mouse



To scroll down, hold down left button
on mouse and move the bar down

OR

Use wheel on mouse

4. Using the bar on the far right of your screen as shown above **SCROLL DOWN** until you see the form that you want to complete.
5. **DOUBLE CLICK** on the underlined number of the form you select.
6. The form will appear on the screen ready to be completed.
7. If you have problems calling up the forms please ask the Clerk for assistance.

**COMPLETING THE
PROOF OF PERSONAL SERVICE
(HARASSMENT)
CH-130**

**COMPLETING THE PROOF OF PERSONAL SERVICE (HARASSMENT)
CH-130**

This form is used to provide proof that the Defendant(s) have been served with the documents you filed with the court.

Even though you will not need this document until after you file your papers, complete the top portion of this document now and print it out. The remainder of this form will be completed by the person that serves your papers for you.

1. **NAME OF PARTY OR ATTORNEY:** Type in Plaintiff's (your) Name and Address, including city, state and zip code. Telephone number is optional, however, you will need to provide it to the Clerk on a separate piece of paper in case the court needs to reach you.
2. **SUPERIOR COURT OF CALIFORNIA, COUNTY OF YUBA:**
215 FIFTH STREET
215 FIFTH STREET
MARYSVILLE CA 95901

Type in Yuba after "of" as shown above and the address as shown.

3. **PLAINTIFF:** Type in the full name of the Plaintiff (your name). There may be more than one Plaintiff.

DEFENDANT: Type in the full name of Defendant(s).

4. **CASE NUMBER:** Leave this area blank – the Clerk will assign a case number later.
5. **Item #1:** Mark the boxes that correspond with the documents that you are having served.

Box a – mark both boxes.

Box b – mark both boxes.

Box c – mark the box.

Box d – mark the box.

Box e – DO NOT MARK.

Box f – DO NOT MARK.

Box g – Other: (specify):

Type in: Declaration Re Application for TRO; Prohibited
Person Notice Form and Power of Attorney for Firearms and
Disposal

6. **Item #2:** Type in the name of the Defendant. If there is more than one Defendant, you will need one Proof of Service per Defendant.

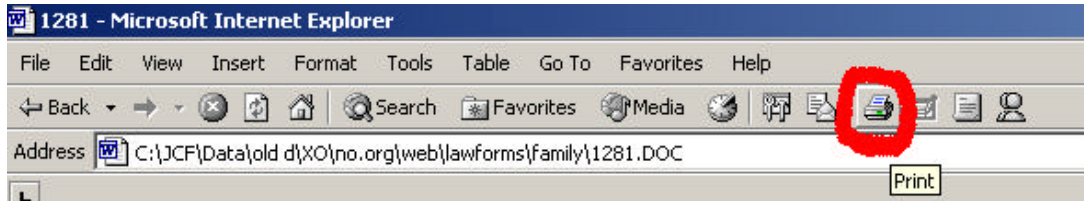
The remainder of this form can be neatly handwritten by the person who serves these documents for you.

Print the form. Do not date or sign the form.

PROOFREADING, PRINTING AND SAVING YOUR DOCUMENT

PROOFREADING, PRINTING & SAVING YOUR DOCUMENT

1. **PROOFREAD** your document and make necessary corrections.
2. **PRINT:** SELECT the PRINTER ICON on the tool bar (see below):



3. Pick up your document from the Clerk at the window and PROOFREAD again.
4. When you are satisfied that your document is correct – print a total of 3 times, as the court requires the original and two copies.
5. **SAVE** your document:
 - a. Click on "**FILE**," in the upper left corner. Select "**SAVE AS**."
 - b. Make sure your disk (furnished by the Clerk) is inserted in the A drive.
 - c. At **FILE NAME** – NAME YOUR FILE.
 - d. Click on **DOWN ARROW** at top and select 3 ½ Floppy A:
 - e. Select "**SAVE**".

Please ask the Clerk for assistance if you have difficulty saving your document.

6. **SIGN YOUR DOCUMENT** – some documents do not require your signature. Review the document carefully, sign and date if needed.

SAMPLE DOCUMENT

INSERT 1 PAGE PROOF OF PERSONAL SERVICE (HARASSMENT) CH-130

SUBMITTING THE CIVIL HARASSMENT DOCUMENTS FOR THE JUDGE’S SIGNATURE & FILING

SUBMITTING THE CIVIL HARASSMENT DOCUMENTS FOR THE JUDGE'S SIGNATURE & FILING

1. **PUTTING YOUR DOCUMENTS TOGETHER:** The following typed documents with 2 copies should be submitted to the Clerk:

Petition for Injunction Prohibiting Harassment

Order to Show Cause & Temporary Restraining Order

Declaration Re Application for Temporary Restraining Order

You must staple your documents appropriately and group them with the original Petition on top with the two copies of the Petition underneath, the original Order to Show Cause on top with the two copies of the Order to Show Cause underneath and so on.

If you did not include your telephone number in your documents, write your telephone number on a separate piece of paper and give it to the Clerk with your documents in case the court needs to contact you. The Clerk will make sure your telephone number is kept confidential.

2. **FILING FEE:** You must submit either the fee waiver documents OR a check, cash or money order for \$213.50 with your documents. At this time ATM and credit card payments are not available.

See the manual on *Fee Waivers* for instructions on completing the fee waiver documents.

The court will determine if the filing fee has to be paid based on your declaration. If the court waives the filing fees your fee waiver or \$213.50 will be returned to you with your documents.

3. **SUBMIT TO CLERK'S OFFICE:** Always take all of your documents to the Clerk's office to avoid having to return if you forgot something. You may want to purchase a folder to keep all your paperwork in.

After organizing your forms take them to the Clerk's office. The Clerk will review the documents and send them to the judge for signature/review.

4. **PICKING UP YOUR RESTRAINING ORDER:** Within 24 to 48 hours (longer if submitted on a Friday or before a holiday) after you submit your restraining order call the Clerk's office and ask if your documents are ready for pick up.

Pick up your documents when ready.

5. **EX PARTE HEARING:** In some cases, the judge will have his secretary telephone you and schedule a hearing BEFORE he/she signs the Order.

You will be given instructions on what date, time and department to appear in and to give notice to the Defendant through a third party.

This is a common practice. Make note of your hearing and make sure you follow any instructions carefully.

SERVICE OF DOCUMENTS ON DEFENDANT(S)

SERVICE OF DOCUMENTS ON DEFENDANT(S)

1. ORGANIZING YOUR DOCUMENTS FOR SERVICE ON DEFENDANTS:

Once your Order has been signed and a case number and hearing date have been assigned you are ready to serve the documents on the Defendant(s).

The Defendant(s) must be served with the following:

- a. One endorsed filed copy of the Petition for Injunction Prohibiting Harassment.
- b. One endorsed filed copy of the Order to Show Cause & Temporary Restraining Order.
- c. One endorsed filed copy of the Declaration re Application for Temporary Orders.
- d. The 7 pages of instructions on the form CH-150 that you printed out earlier (these can be found in the packet you picked up before typing your documents).
- e. One blank Response to Petition for Injunction Prohibiting Harassment (this can be found in the packet you picked up before typing your documents).
- f. The Prohibited Persons Notice Form and Power of Attorney for Firearms and Disposal (these can be found in the packet you picked up before typing your documents).

Organize these documents together with the Order to Show Cause on top.

2. PERSONAL SERVICE REQUIRED: Any person over the age of 18 years old that is not involved in this matter can serve these papers for you.

This means the person serving hands the defendant(s) the forms indicated above. The person serving must make sure it's the right person. If the defendant won't take the papers, just leave them near the person. It doesn't matter if the defendant tears them up.

After the defendant(s) are served, have the person serving complete items #3 and #4 on the Proof of Personal Service form, date, print name and sign. The Proof of Service must be properly completed with all areas filled in.

3. **SERVICE BY THE SHERIFF'S DEPARTMENT:** If you want the Sheriff's Department to serve the Defendant(s), contact the Civil Division of the Sheriff's Department on the second floor of the courthouse.

The Sheriff's Department can also assist with service for defendant(s) who are housed in the Yuba County Jail.

SERVICE FEES: If you were required to pay a filing fee for your restraining order you will be required to pay service fees.

The Sheriff's Department Civil Division will provide you with a proof of service when service is complete.

4. **DEFENDANT DOES NOT LIVE IN YUBA COUNTY:** If the defendant(s) reside outside Yuba County, contact the Sheriff's Department in that area to determine what they require to serve the papers for you.

FILING THE PROOF OF SERVICE

FILING THE PROOF OF SERVICE

1. **FILE THE PROOF OF SERVICE:** After the Defendant(s) are served and the Proof of Service is completed. Make copies of the Proof of Service.

Take the original and copies to the Clerk's office and file them.

The Clerk will keep the original for the court's file and give you back the endorsed filed copies.

2. **PROVIDE LAW ENFORCEMENT WITH COPIES OF YOUR ORDER TO SHOW CAUSE & PROOF OF SERVICE:** The Clerk's office will automatically provide the Yuba County Sheriff's Department with a copy of your Order to Show Cause and a copy of your Proof of Service.

You are required to provide copies of both the Order to Show Cause and Proof of Service to any other law enforcement agencies that you listed in Item #17 of your Petition.

WHAT HAPPENS WHEN YOU CAN'T GET THE DEFENDANT SERVED BEFORE THE HEARING?

WHAT HAPPENS WHEN YOU CAN'T GET THE DEFENDANT SERVED BEFORE THE HEARING?

If you are unable to get the defendant(s) served within two days before the hearing, you can complete the *Application and Order for Reissuance* form requesting that the hearing date and the temporary restraining order be continued to allow time for you to have the defendant(s) served.

You can obtain this one page form from the Clerk's office free of charge or prepare it in the computer using the instructions provided in the next section.

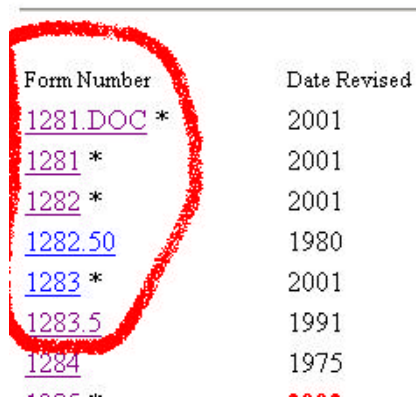
Make sure you tell the Clerk it is for a Civil Harassment Restraining Order as there are other forms with the same name that are filed with the Domestic Violence Restraining Order and other Family Law filings. You don't want to obtain the wrong form.

APPLICATION & ORDER FOR REISSUANCE (CIVIL HARASSMENT) CH-125

ACCESSING THE DOCUMENT IN THE COMPUTER

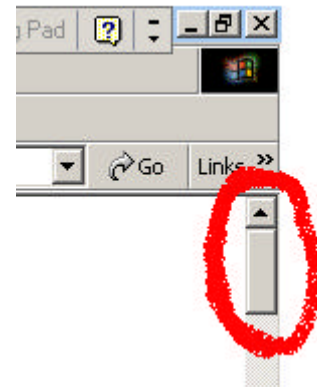
ACCESSING THE DOCUMENTS IN THE COMPUTER

1. **DOUBLE CLICK** on the icon (picture) labeled PUBLIC ACCESS SERVICES by placing the cursor over the PUBLIC ACCESS SERVICES icon and pressing the left mouse button twice.
2. Select “**JUDICIAL COUNCIL FORMS**” on the screen.
 - a. Move cursor over “**JUDICIAL COUNCIL FORMS**” icon
 - b. Double click left button on mouse
3. From the left column select form you are looking for (single click left button on mouse) or scroll down until you locate it.



Form Number	Date Revised
1281.DOC *	2001
1281 *	2001
1282 *	2001
1282.50	1980
1283 *	2001
1283.5	1991
1284	1975
1285	1975

Double click left button on mouse



To scroll down, hold down left button
on mouse and move the bar down

OR

Use wheel on mouse

4. Using the bar on the far right of your screen as shown above **SCROLL DOWN** until you see the form that you want to complete.
5. **DOUBLE CLICK** on the underlined number of the form you select.
6. The form will appear on the screen ready to be completed.
7. If you have problems calling up the forms please ask the Clerk for assistance.

**COMPLETING THE
APPLICATION & ORDER FOR
REISSUANCE (CIVIL
HARASSMENT) CH-125**

**COMPLETING THE APPLICATION & ORDER FOR REISSUANCE
(CIVIL HARASSMENT) CH-125**

1. **NAME OF PARTY OR ATTORNEY:** Type in Plaintiff's (your) Name and Address, including city, state and zip code. Telephone number is optional, however, you will need to provide it to the Clerk on a separate piece of paper in case the court needs to reach you.

2. **SUPERIOR COURT OF CALIFORNIA, COUNTY OF YUBA:**
215 FIFTH STREET
215 FIFTH STREET
MARYSVILLE CA 95901

Type in Yuba after "of" as shown above and the address as shown.

3. **PLAINTIFF:** Type in the full name of the Plaintiff (your name). There may be more than one Plaintiff.

DEFENDANT: Type in the full name of Defendant(s).

4. **CASE NUMBER:** Type in your case number YCSC CV PT XX-XXXXXXX.

5. **Item #1a:** Enter the date the original Order to Show was filed.

Item #1b: Enter the date of the hearing for the original Order to Show Cause.

Item #1c: Enter the number of times you have requested a reissuance. If this is the first time, put a zero.

6. **Item #2a:** Mark this box if you were unable to serve the Defendant prior the hearing.

7. **Date and type in your name.**

8. **Item #3:** Type in the new date, time and dept as given by the judge in court ,OR, if you haven't been to court, leave this area blank to be completed by the Clerk.

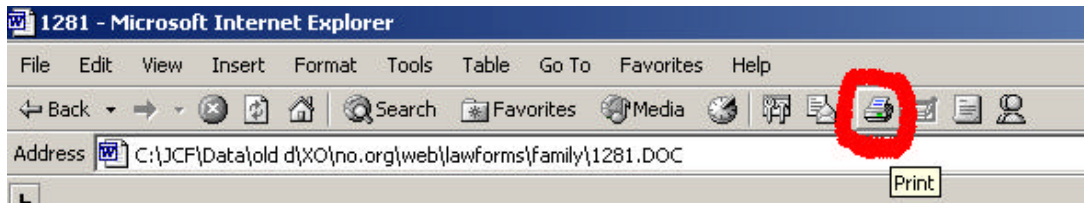
Item #3b(1): Mark this box as you will be delivering copies of this document to local law enforcement after it is signed by the judge and filed.

9. **Do not date or sign this form** as it must be date and signed by the judge. You are now ready to print this form.

PROOFREADING, PRINTING AND SAVING YOUR DOCUMENT

PROOFREADING, PRINTING & SAVING YOUR DOCUMENT

1. **PROOFREAD** your document and make necessary corrections.
2. **PRINT:** SELECT the PRINTER ICON on the tool bar (see below):



3. Pick up your document from the Clerk at the window and PROOFREAD again.
4. When you are satisfied that your document is correct – print a total of 3 times, as the court requires the original and two copies.
5. **SAVE** your document:
 - a. Click on "**FILE**," in the upper left corner. Select "**SAVE AS**."
 - b. Make sure your disk (furnished by the Clerk) is inserted in the A drive.
 - c. At **FILE NAME** – NAME YOUR FILE.
 - d. Click on **DOWN ARROW** at top and select 3 ½ Floppy A:
 - e. Select "**SAVE**".

Please ask the Clerk for assistance if you have difficulty saving your document.

6. **SIGN YOUR DOCUMENT** – some documents do not require your signature. Review the document carefully, sign and date if needed.

SAMPLE DOCUMENT

INSERT 1 PAGE APPLICATION & ORDER FOR REISSUANCE
(HARASSMENT) HERE

SUBMITTING THE APPLICATION & ORDER FOR REISSUANCE FOR JUDGE'S SIGNATURE

**SUBMITTING THE APPLICATION & ORDER FOR REISSUANCE FOR
JUDGE'S SIGNATURE**

1. Sign the form where indicated after section #2.
2. Make two copies.
3. Take the original & two copies to the Clerk's Office for filing.
4. The Clerk will forward the document to the Judge for signature.
5. If you were required to pay the initial filing fee, you will be required to pay \$25.30 to continue your hearing unless you submitted a fee waiver.
6. Pick your forms up in 24 to 48 hours. You may call ahead to see if they are ready.
7. When you retrieve your two copies back signed by the judge and "endorsed filed", make extra copies (one for each law enforcement agency you previously provided a copy to).
8. Staple one copy of the Reissuance to the front of each copy of the Order to Show Cause this is proof that the hearing date was continued.
9. Have the Defendant served as soon as possible and file your proof of service with the clerk's office.

THE HEARING

THE HEARING

1. **YOU MUST ATTEND:** If you do not attend the first hearing, the court could dismiss your case and you would have to prepare all the paperwork over again to obtain a restraining order. If you did not get the Defendant served prior to the hearing, you can ask the judge for a continuance.
2. **DEFENDANT(S) DID NOT ATTEND HEARING:** If the Defendant(s) was properly served and the proof of service was filed prior to the hearing, the court can make orders in the defendant's absence.
2. **DROPPING OR DISMISSING THE RESTRAINING ORDER:** If, for whatever reason, you decide to dismiss or drop your restraining order, tell the court. The court will determine if the restraining order is dismissed.
2. **DURATION OF FIRST HEARING:** Normally the first hearing is limited to about 15 minutes as it is set on the normal Law & Motion Calendar with other restraining order cases. The court may ask questions about how many witnesses each side will present and what other evidence will be submitted.
3. **LONGER HEARING DATE & TIME MAY BE SET:** If the court determines that a longer period of time is needed to hear your case, the court will assign a "long cause hearing" date. The court can extend your restraining order to the new hearing date.
4. **BRING WITNESSES & OTHER EVIDENCE:** You must bring all witnesses and any other evidence you may have to court with you. If you need to subpoena witnesses, forms are available at the Clerk's office.
5. **ORDER AFTER HEARING:** After hearing your case or after continuing your case to a long cause hearing date, the court may instruct you to prepare the Order After Hearing.

These forms are in your forms packet and also available on the computer.

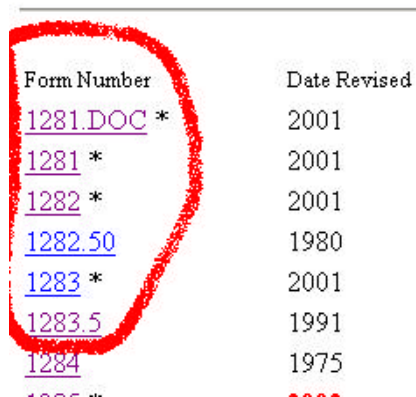
Instructions on preparing the Order After Hearing are contained in the next section.

**ORDER AFTER HEARING
(CIVIL HARASSMENT)
CH-140**

ACCESSING THE DOCUMENT IN THE COMPUTER

ACCESSING THE DOCUMENTS IN THE COMPUTER

1. **DOUBLE CLICK** on the icon (picture) labeled PUBLIC ACCESS SERVICES by placing the cursor over the PUBLIC ACCESS SERVICES icon and pressing the left mouse button twice.
2. Select “**JUDICIAL COUNCIL FORMS**” on the screen.
 - a. Move cursor over “**JUDICIAL COUNCIL FORMS**” icon
 - b. Double click left button on mouse
3. From the left column select form you are looking for (single click left button on mouse) or scroll down until you locate it.



Form Number	Date Revised
1281.DOC *	2001
1281 *	2001
1282 *	2001
1282.50	1980
1283 *	2001
1283.5	1991
1284	1975
1285	1975

Double click left button on mouse



To scroll down, hold down left button
on mouse and move the bar down

OR

Use wheel on mouse

4. Using the bar on the far right of your screen as shown above **SCROLL DOWN** until you see the form that you want to complete.
5. **DOUBLE CLICK** on the underlined number of the form you select.
6. The form will appear on the screen ready to be completed.
7. If you have problems calling up the forms please ask the Clerk for assistance.

COMPLETING THE ORDER AFTER HEARING (CIVIL HARASSMENT) CH-140

COMPLETING THE ORDER AFTER HEARING (CIVIL HARASSMENT)
CH-140

This form is used to reflect what the judge ordered at the hearing. These orders can last for up to three years or less as ordered by the court.

Most law enforcement agencies require that you produce an Order After Hearing, signed by a judge and filed with the court before they can enforce your restraining order. For this reason, you should prepare your Order After Hearing immediately after your hearing.

OBTAIN A COPY OF THE MINUTES: Your Order After Hearing must match exactly the Minutes (prepared by the Clerk) for your hearing. You can obtain a copy of the Minutes free of charge from the Clerk's office normally within 24 to 48 hours after your hearing.

e
1. **NAME OF PARTY OR ATTORNEY:** Type in Plaintiff's (your) Name and Address, including city, state and zip code. Telephone number is optional.

2. **SUPERIOR COURT OF CALIFORNIA, COUNTY OF YUBA:**
215 FIFTH STREET
215 FIFTH STREET
MARYSVILLE CA 95901

Type in Yuba after "of" as shown above and the address as shown.

3. **PLAINTIFF:** Type in the full name of the Plaintiff (your name). There may be more than one Plaintiff.

DEFENDANT: Type in the full name of Defendant(s).

4. **CASE NUMBER:** Include your complete case number: YCSC CV PT XX-XXXXXXX.

5. **Item #1:** From the Minutes enter the date this order expires as ordered by the court.

6. **Item #2:** Type the date, time and department (when your hearing was held).

7. **Item #3:** Type in the name of the judge.

8. **Item #4:** Mark the boxes that indicate who was present in court.

9. **Item #5a:** Type in defendant's full name.

NOTE: If there is more than one defendant you can type the information for additional defendants on a separate piece of paper as shown below:

Attachment #5 to Order After Hearing (Civil Harassment)

Defendant #2: NAME: John Doe

Male, 6 ft, 200 lbs, Bro hair, Bro eyes, White, 45 years old, dob:
07/01/57

Item #5b: List the names of protected person.

10. **Item #6:** ? the person seeking the order

Mark this box if the orders were made as indicated.

? the other protected person(s) listed in item 5b.

Mark this box if there are other protected persons.

Item #6b: Mark the box and indicate how many yards defendant(s) are to stay away from plaintiff(s) and protected person(s)

Item #6b (1) through (6): Mark the boxes that correspond with what the judge ordered.

11. **Item # 7:** Type in other orders as made by the court.

12. **Item #8:** mark A – plaintiff shall deliver.

List all the law enforcement agencies listed in the Petition under #17.

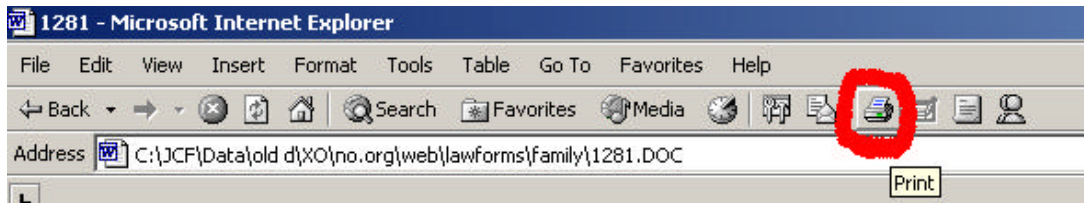
Do not sign or date this form.

Print 3 copies of this form following the instructions provided in the next section.

PROOFREADING, PRINTING AND SAVING YOUR DOCUMENT

PROOFREADING, PRINTING & SAVING YOUR DOCUMENT

1. **PROOFREAD** your document and make necessary corrections.
2. **PRINT:** SELECT the PRINTER ICON on the tool bar (see below):



3. Pick up your document from the Clerk at the window and PROOFREAD again.
4. When you are satisfied that your document is correct – print a total of 3 times, as the court requires the original and two copies.
5. **SAVE** your document:
 - a. Click on "**FILE**," in the upper left corner. Select "**SAVE AS**."
 - b. Make sure your disk (furnished by the Clerk) is inserted in the A drive.
 - c. At **FILE NAME** – NAME YOUR FILE.
 - d. Click on **DOWN ARROW** at top and select 3 ½ Floppy A:
 - e. Select "**SAVE**".

Please ask the Clerk for assistance if you have difficulty saving your document.

6. **SIGN YOUR DOCUMENT** – some documents do not require your signature. Review the document carefully, sign and date if needed.

SAMPLE DOCUMENT

INSERT 2 PAGES HOAH HERE, CH140

SUBMITTING THE ORDER AFTER HEARING FOR JUDGE'S SIGNATURE

SUBMITTING THE ORDER AFTER HEARING FOR JUDGE'S SIGNATURE

1. **REVIEW ORDER AFTER HEARING:** Carefully review your Order After Hearing against the Minutes and make sure they match exactly.
2. **DELIVER TO CLERK'S OFFICE FOR FILING:** Take the original and 2 copies of the Order After Hearing to the Clerk's Office in the main courthouse.
3. **CLERK'S ACTIONS:** The Clerk will pull your file and review your Order After Hearing against the Minutes. Errors and omission can be corrected, if necessary.

The Clerk will forward the original and two copies the judge for signature.

4. **PICK UP YOUR ORDER AFTER HEARING:** Within 24 to 48 hours of submitting your Order After Hearing, call the Clerk and see if it is ready to be picked up.

Pick up your copies and make additional copies if needed.

5. **PROVIDE A COPY TO LAW ENFORCEMENT:** Provide an endorsed filed copy of the Order After Hearing to each law enforcement agency you listed in your paperwork.
6. **KEEP A COPY WITH YOU AT ALL TIMES:** Keep a copy of your Order After Hearing with you at all times and promptly report violations to law enforcement.
7. **SERVICE ON DEFENDANT(S) WHO WERE NOT PRESENT IN COURT:** If the defendant(s) was not present in court, you must have the Order After Hearing personally served on the defendant(s) and file a proof of service with the court.

Follow the same process that was used for initial service. You can have the Order After Hearing served by the Sheriff's Dept, if you desire.

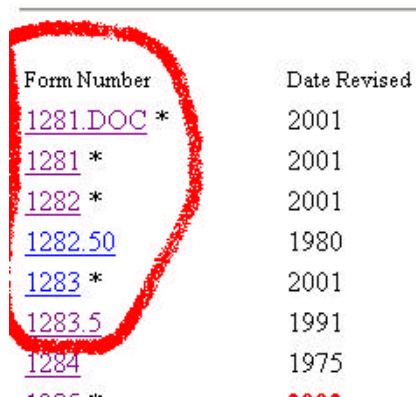
8. **SERVICE ON DEFENDANT WHO WAS PRESENT IN COURT:** If the defendant was present in court you can have the defendant served by mail.

**RESPONSE TO ORDER TO SHOW
CAUSE (CIVIL HARASSMENT)
RESTRAINING ORDER
CH-110**

ACCESSING THE DOCUMENT IN THE COMPUTER

ACCESSING THE DOCUMENTS IN THE COMPUTER

1. **DOUBLE CLICK** on the icon (picture) labeled PUBLIC ACCESS SERVICES by placing the cursor over the PUBLIC ACCESS SERVICES icon and pressing the left mouse button twice.
2. Select “**JUDICIAL COUNCIL FORMS**” on the screen.
 - a. Move cursor over “**JUDICIAL COUNCIL FORMS**” icon
 - b. Double click left button on mouse
3. From the left column select form you are looking for (single click left button on mouse) or scroll down until you locate it.



Form Number	Date Revised
1281.DOC *	2001
1281 *	2001
1282 *	2001
1282.50	1980
1283 *	2001
1283.5	1991
1284	1975

Double click left button on mouse



To scroll down, hold down left button
on mouse and move the bar down

OR

Use wheel on mouse

4. Using the bar on the far right of your screen as shown above **SCROLL DOWN** until you see the form that you want to complete.
5. **DOUBLE CLICK** on the underlined number of the form you select.
6. The form will appear on the screen ready to be completed.
7. If you have problems calling up the forms please ask the Clerk for assistance.

COMPLETING A RESPONSE TO PETITION FOR INJUNCTION PROHIBITING HARASSMENT

CH-110

COMPLETING A RESPONSE TO PETITION PROHIBITING HARASSMENT CH-110

If you are served with an Order to Show Cause (Harassment) and Petition for Injunction Prohibiting Harassment you should promptly see legal advice

Read the papers you were served with carefully. The Order to Show Cause tells you when to appear in court and may contain temporary orders forbidding you from doing certain things. If you disobey the court's orders, criminal charges may be filed against you.

If you wish to oppose the Petition, or make your own request for court orders, you must file a Response to Petition for Injunction Prohibiting Harassment and be present at the hearing.

The Response to Petition for Injunction Prohibiting Harassment is the document used to respond to Plaintiff's Petition.

1. **NAME OF PARTY OR ATTORNEY:** Type in your name and address, including city, state and zip code. Telephone number is optional.
2. **SUPERIOR COURT OF CALIFORNIA, COUNTY OF YUBA:**
215 FIFTH STREET
215 FIFTH STREET
MARYSVILLE CA 95901

Type in Yuba after "of" as shown above and the address as shown.

3. **PLAINTIFF:** Type in the full name of the Plaintiff. There may be more than one Plaintiff.

DEFENDANT: Type in the full name of Defendant (you).

4. **CASE NUMBER:** Include your complete case number: YCSC CV PT XX-XXXXXXX.

You will need the Petition for Injunction Prohibiting Harassment filed by plaintiff to complete this form:

5. **Item #1:** Mark the box(es) that corresponds with your response.
6. **Item #2:** Mark the box(es) that corresponds with your response.
7. **Item #3:** Mark the box(es) that corresponds with your response.
8. **Item #4:** Mark the box(es) that corresponds with your response.

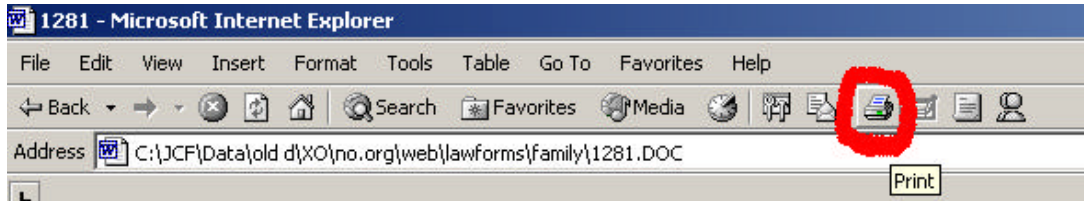
9. **Item #5:** Mark the box(es) that corresponds with your response.
10. **Item #6:** Mark the box if it applies to you.
11. **Item#7:** Mark the box, if it applies to you and list other defenses that you have.
12. **Item #8:** Mark the box(es) that apply to you.
13. **Item #9:** Mark the box(es) that apply to you.
14. **Item #10:** List additional reasons why the restraining order should not be granted.
15. **Item #11:** Type in supporting information. Information supports the boxes you marked.
16. **Item#12:** Read carefully and mark this box if it applies to you.
17. **Item #13.** Mark this box and indicate how many pages are attached to this response.

You are now ready to print this form.

PROOFREADING, PRINTING AND SAVING YOUR DOCUMENT

PROOFREADING, PRINTING & SAVING YOUR DOCUMENT

1. **PROOFREAD** your document and make necessary corrections.
2. **PRINT:** SELECT the PRINTER ICON on the tool bar (see below):



3. Pick up your document from the Clerk at the window and PROOFREAD again.
4. When you are satisfied that your document is correct – print a total of 3 times, as the court requires the original and two copies.
5. **SAVE** your document:
 - a. Click on "**FILE**," in the upper left corner. Select "**SAVE AS**."
 - b. Make sure your disk (furnished by the Clerk) is inserted in the A drive.
 - c. At **FILE NAME** – NAME YOUR FILE.
 - d. Click on **DOWN ARROW** at top and select 3 ½ Floppy A:
 - e. Select "**SAVE**".

Please ask the Clerk for assistance if you have difficulty saving your document.

6. **SIGN YOUR DOCUMENT** – some documents do not require your signature. Review the document carefully, sign and date if needed.

SAMPLE DOCUMENT

INSERT 2 PAGE RESPONSE TO CH CH-110

**FILING THE RESPONSE TO
PETITION FOR INJUNCTION
PROHIBITING HARASSEMENT,
CH-110**

**FILING THE RESPONSE TO PETITION FOR INJUNCTION PROHIBITING
HARASSEMENT, CH-110**

1. Sign and date your response.
2. Make two copies of your Response. If you have attachments to your Response, your two copies must contain the same attachments in the same order.
3. Take your original Response and both copies to the Clerk's Office.
4. If the Judge DID NOT waive the filing fee for Plaintiff, you will be required to submit your filing fee of \$200.10 or a fee waiver when you submit your Response. The Clerk can tell you if you have to pay for your response.
5. The Clerk will file your original Response and keep it for the court file returning the two "endorsed filed" copies to you. One copy is for you and one is for the Plaintiff.
6. You are responsible for having the Plaintiff served with a copy of your Response. You cannot serve it yourself. Service by mail is normally sufficient.

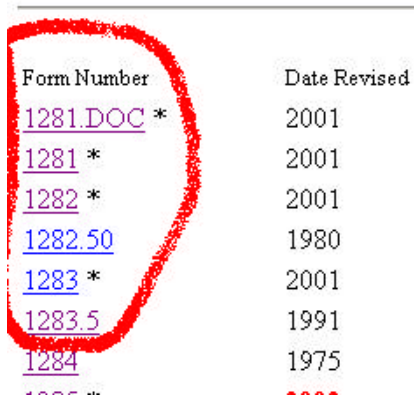
PROOF OF SERVICE BY MAIL

CH-131

ACCESSING THE DOCUMENT IN THE COMPUTER

ACCESSING THE DOCUMENTS IN THE COMPUTER

1. **DOUBLE CLICK** on the icon (picture) labeled PUBLIC ACCESS SERVICES by placing the cursor over the PUBLIC ACCESS SERVICES icon and pressing the left mouse button twice.
2. Select “**JUDICIAL COUNCIL FORMS**” on the screen.
 - a. Move cursor over “**JUDICIAL COUNCIL FORMS**” icon
 - b. Double click left button on mouse
3. From the left column select form you are looking for (single click left button on mouse) or scroll down until you locate it.



Form Number	Date Revised
1281.DOC *	2001
1281 *	2001
1282 *	2001
1282.50	1980
1283 *	2001
1283.5	1991
1284	1975

Double click left button on mouse



To scroll down, hold down left button
on mouse and move the bar down

OR

Use wheel on mouse

4. Using the bar on the far right of your screen as shown above **SCROLL DOWN** until you see the form that you want to complete.
5. **DOUBLE CLICK** on the underlined number of the form you select.
6. The form will appear on the screen ready to be completed.
7. If you have problems calling up the forms please ask the Clerk for assistance.

**COMPLETING THE PROOF OF SERVICE BY MAIL
CH-131**

The person mailing your response for you must complete certain items and sign and date this form. You may complete the top portion of this form and print it.

The person mailing must be over the age of 18 and not a party or witness to this action.

1. **NAME OF PARTY OR ATTORNEY:** Type in Defendant's (your) Name and Address, including city, state and zip code. Telephone number is optional, however, you will need to provide it to the Clerk on a separate piece of paper in case the court needs to reach you.
2. **SUPERIOR COURT OF CALIFORNIA, COUNTY OF YUBA:**
215 FIFTH STREET
215 FIFTH STREET
MARYSVILLE CA 95901

Type in Yuba after "of" as shown above and the address as shown.

3. **PLAINTIFF:** Type in the full name of the Plaintiff. There may be more than one Plaintiff.

DEFENDANT: Type in the full name of Defendant(s).

4. **CASE NUMBER:** Type in your case number YCSC CV PT XX-XXXXXXX.
5. **Item #1:** Mark box a, which indicates Response (is being served).
6. **Item #2a:** Type in the name of the Plaintiff this response is being mailed to.
Item #2b: Type in the address of the Plaintiff this response is being mailed to.

Item #2c and Item #2d: Date of mailing & city/state

Leave this section blank to be completed by person mailing for you.

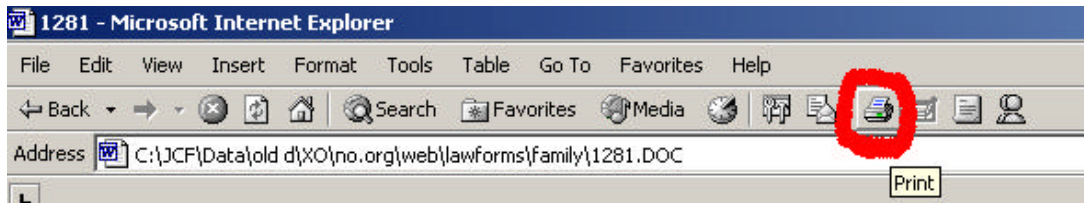
7. **DO NOT DATE OR SIGN THIS FORM.** The person mailing your response must date and sign this form.

Print this form following the instructions in the next section.

PROOFREADING, PRINTING AND SAVING YOUR DOCUMENT

PROOFREADING, PRINTING & SAVING YOUR DOCUMENT

1. **PROOFREAD** your document and make necessary corrections.
2. **PRINT:** SELECT the PRINTER ICON on the tool bar (see below):



3. Pick up your document from the Clerk at the window and PROOFREAD again.
4. When you are satisfied that your document is correct – print a total of 3 times, as the court requires the original and two copies.
5. **SAVE** your document:
 - a. Click on "**FILE**," in the upper left corner. Select "**SAVE AS**."
 - b. Make sure your disk (furnished by the Clerk) is inserted in the A drive.
 - c. At **FILE NAME** – NAME YOUR FILE.
 - d. Click on **DOWN ARROW** at top and select 3 ½ Floppy A:
 - e. Select "**SAVE**".

Please ask the Clerk for assistance if you have difficulty saving your document.

6. **SIGN YOUR DOCUMENT** – some documents do not require your signature. Review the document carefully, sign and date if needed.

SAMPLE DOCUMENT

INSERT 1 PAGE PROOF OF SERVICE BY MAIL CH-131

MAILING THE RESPONSE & FILING THE PROOF OF SERVICE BY MAIL

MAILING THE RESPONSE & FILING THE PROOF OF SERVICE BY MAIL

1. After filing the Response, place one copy and attachments if there are any, in an envelope addressed to Plaintiff(s) with sufficient postage.
2. The person mailing must place the envelope in the mail box and complete Items #2c, #2d and #3, sign and date the Proof of Service By Mail form.
3. Once service is complete, make two copies of the Proof of Service.
4. Take the original and two copies to the Clerk's office for filing. There is no fee. The Clerk will file and keep the original for the court file and return the two endorsed filed copies to you for your records.

THE HEARING

THE HEARING

Both parties are encouraged to consult with an attorney at any time prior to or during their case. If you have legal questions regarding any part of this process you should seek legal advice immediately.

1. **YOU MUST ATTEND:** If you do not attend the hearing, the court can make orders in your absence.
2. **DROPPING OR DISMISSING THE RESTRAINING ORDER:** If, for whatever reason, you and the Plaintiff decide to drop the restraining order advise the court. The court will determine if the restraining order is to be dropped or dismissed.
2. **DURATION OF FIRST HEARING:** Normally the first hearing is limited to about 15 minutes as it is set on the normal Law & Motion Calendar with other restraining order cases. The court may ask questions about how many witnesses each side will present and what other evidence will be submitted.
3. **LONGER HEARING DATE & TIME MAY BE SET:** If the court determines that a longer period of time is needed to hear your case, the court will assign a “long cause hearing” date. The court can extend the restraining order to the new hearing date.
4. **BRING WITNESSES & OTHER EVIDENCE:** You must bring all witnesses and any other evidence you may have to court with you. If you need to subpoena witnesses, forms are available at the Clerk’s office.
5. **ORDER AFTER HEARING:** After hearing your case or after continuing your case to a long cause hearing date the court may instruct the Plaintiff to prepare an Order After Hearing.
6. **SERVICE OF ORDER AFTER HEARING:** Plaintiff will mail Defendant a copy of the Order After Hearing and provide Proof of Service to the court.